

Notice of Allowability

Application No.

09/925,149

Examiner

Joseph A. Fischetti

Applicant(s)

ABRAHAM, MANOJ

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/16/06.
2. ☒ The allowed claim(s) is/are 17 and 29-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Laureanti on 9/1/06.

Please amend the claims as follows

1.-16. **(Canceled)**

17. **(Currently Amended)** Logic for generating an order plan, the logic being encoded in computer readable media and when executed by a computer operable to:

- access data describing a plurality of priority levels, each priority level comprising at least one item request;
- access data describing a supply chain network comprising a plurality of network components, each network component operable to supply one or more items to satisfy an item request;
- access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for ~~other~~ higher priority levels;

for each priority level:

for each item request of a priority level:

plan an order for an item request of a current priority level using the data about infeasible periods of time associated with a plurality of network components that are unable to satisfy an item request during respective periods of time; and

determine any additional unplannable network components for the current priority level;

validate the additional unplannable network components; and

record the validated unplannable network components for the current priority level; and

provide an order plan comprising the orders planned for the item requests at each priority level.

18.-27. **(Canceled)**

28. **(Canceled)**

29. **(Currently Amended)** The logic of Claim 17, wherein the data about infeasible periods of time associated with one or more respective network components further comprises data associated with one of the network components describing a time interval during which the network component is unplannable.

30. **(Previously Presented)** The logic of Claim 29, wherein the time interval is a time interval from a previously determined unplannable time to a predetermined build ahead time.

31. **(Previously Presented)** The logic of Claim 17, wherein the recording of the validated unplannable network components comprises storing data about infeasible periods of time for the unplannable network components.

1. Reasons for Allowance:

Clear Statement:

None of the art of record discloses or suggests a method which generates an order plan using access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for higher priority levels, taken in combination with the step of for each priority level, and for each item request of a priority level, planning an order for an item request of a current priority level using the data about infeasible periods of time associated with a plurality of network components that are unable to satisfy an item request during respective periods of time; and determining any additional unplannable network components for the current priority level; validating the additional unplannable network components; recording the validated unplannable network components for the current priority level; and providing an order plan comprising the orders planned for the item requests at each priority level.

Claim 17: Distinguishes Over Closest Prior Art To Kennedy US 6,047,290

Kennedy discloses planning method having both upstream (products flow in the direction of producers) and downstream (products flow in the direction of consumers) components to control upstream producers based on characteristics of down stream consumers. Kennedy discloses first prioritizing upstream consumer objects to reflect customer priorities during upstream planning, and then determining

Art Unit: 3627

resource allocation according to the prioritized upstream consumer objects during downstream planning. Kennedy neither discloses or suggests access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for higher priority levels.

2. Search Areas:

See File

3. Search Query:

See File

4. Reference Citations

Best US

Kennedy US 6,047,290

Kennedy discloses planning method having both upstream (products flow in the direction of producers) and downstream (products flow in the direction of consumers) components to control upstream producers based on characteristics of down stream consumers. Kennedy discloses first prioritizing upstream consumer objects to

Art Unit: 3627

reflect customer priorities during upstream planning, and then determining resource allocation according to the prioritized upstream consumer objects during downstream planning. Kennedy neither discloses or suggests access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for higher priority levels.

Best Foreign: WO 00/67191

WO 00/67191 fails to disclose or suggest a method which generates an order plan using access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for higher priority levels, taken in combination with the step of for each priority level, and for each item request of a priority level, planning an order for an item request of a current priority level using the data about infeasible periods of time associated with a plurality of network components that are unable to satisfy an item request during respective periods of time; and determining any additional unplannable

network components for the current priority level; validating the additional unplannable network components; recording the validated unplannable network components for the current priority level; and providing an order plan comprising the orders planned for the item requests at each priority level.

Best NPL: Heuristic Interpretation of Infeasibility Solutions to a Production schedule

Nicholls fails to disclose or suggest a method which generates an order plan using access data about infeasible periods of time associated with one or more respective network components, wherein the data about infeasible periods of time associated with one or more respective network components comprises data about infeasible periods of time associated with one or more respective network components that were determined for higher priority levels, taken in combination with the step of for each priority level, and for each item request of a priority level, planning an order for an item request of a current priority level using the data about infeasible periods of time associated with a plurality of network components that are unable to satisfy an item request during respective periods of time; and determining any additional unplannable network components for the current priority level; validating the additional unplannable network components; recording the validated unplannable network components for the current priority level; and providing an order plan comprising the orders planned for the item requests at each priority level.

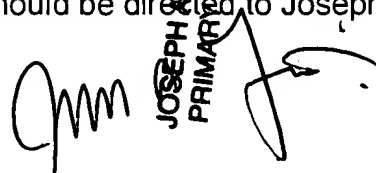
Art Unit: 3627

Cited not relied on:

US 6,691,006 and US 6,580,982 are cited for maintenance management systems; US 6,138,103, US 6,597,962 and 6,032,121 are cited for planning systems; and US 6,684,117 is cited for work scheduling system.

Any inquiry concerning this communication should be directed to Joseph A.

Fischetti at telephone number 571 272 6780.


JOSEPH A. FISCHETTI
PRIMARY EXAMINER

Joseph A. Fischetti
Primary Examiner
Art Unit 3627